

Ordinance No. 95-05

**AN ORDINANCE APPROVING A REVISED ANNEXATION AGREEMENT
WITH JUDSON BAPTIST CHURCH**

WHEREAS, on November 15, 1994, the corporate authorities of the Village of Chatham approved Ordinance No. 94-67, approving an annexation agreement with Judson Baptist Church;

WHEREAS, the Judson Baptist Church has requested that the Agreement be rescinded and another agreement substituted in its place;

WHEREAS, on January 24, 1995, pursuant to notice published as prescribed by statute, the corporate authorities conducted a public hearing regarding a new annexation agreement with Judson Baptist Church, a copy of which is attached hereto as Exhibit A;

WHEREAS, on January 19, 1995 the Planning Commission met pursuant to notice published as prescribed by statute, conducted a public hearing to consider the zoning contemplated by the Annexation agreement, and recommended approval of zoning the Judson Baptist Church property to B-2 as set forth in the Agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That certain annexation agreement attached hereto by and between the Village of Chatham, Illinois and the Judson Baptist Church, which replaces the prior annexation agreement approved pursuant to Ordinance No. 94-67, is hereby approved.

SECTION 2: The President is directed to execute said agreement as amended on behalf of the Village, and the proper officers of the Village are authorized and directed to carry out said annexation agreement according to its terms.

SECTION 3: This Ordinance is effective immediately.

PASSED this 24th day of January, 1995.

VILLAGE PRESIDENT

ATTEST:

Penny Moomag
Village Clerk

AYES: 6
NAYS: 0
PASSED: 1-24-95
APPROVED: 1-24-95
ABSENT: 0

ANNEXATION AGREEMENT

THIS AGREEMENT is between Judson Baptist Church ("Owner") and the Village of Chatham, Illinois ("Village"), and is effective upon its execution by Owner and the Village and approval of this Agreement by Ordinance passed by the corporate authorities of the Village of Chatham, Illinois.

WHEREAS, Owner is the owner of record of certain land, (the "Property"), the legal description of which is attached hereto as Exhibit A, and a map of which is attached hereto as Exhibit B.

WHEREAS, Owner desires annexation of the Property to the Village of Chatham in return for the Village's commitment to provide water service.

WHEREAS, Owner has signed a Petition to annex the Property to the Village conditional on this Agreement.

WHEREAS, Owner desires B-2 zoning for the Property, and the initial zoning of the Property has been considered and recommended by the Village of Chatham Planning Commission pursuant to notice and hearing in accordance with the Village of Chatham Zoning Ordinance;

WHEREAS, Owner has agreed to grant the Village a thirty-foot roadway right-of-way along the northern boundary of the Property for future road development;

WHEREAS; this Agreement is authorized by Section 11-15.1-1 et seq. of the Illinois Municipal Code.

NOW, THEREFORE, the parties agree as follows:

EXHIBIT A

1. Within 30 days of this Agreement becoming effective, or 30 days of the property becoming contiguous to the Village of Chatham, whichever is later, the Village shall pass an ordinance annexing the Property to the Village. Simultaneously with the annexation of the Property, the Village shall adopt an ordinance zoning the Property B-2 under the then-current edition of the Village of Chatham Zoning Ordinance.

2. Owner shall, within 30 days of execution of this Agreement by the Village, execute a document substantially in the form exemplified by Exhibit C hereto dedicating the north 30 feet of the Property for public use as a roadway.

3. Within one year of signing this Agreement, the Village shall at its expense, provide water utility service to the boundary of the property at a location to be determined by the Village. If the Village can obtain the proper regulatory permits and easements, the Village intends to install a 4" or larger water main along the eastern boundary of the property. Owner shall grant whatever easements for that purpose the Village may reasonably require.

4. The Covenants set forth herein shall be a covenant running with the land. This Agreement shall be recorded by the Village in the Office of the Recorder of Deeds of Sangamon County, Illinois.

5. This Agreement shall be effective only when signed by both parties and when approved by Ordinance adopted by the corporate authorities of the Village of Chatham, Illinois. This Agreement shall be effective for a term of 20 years after its execution by the Village.

6. This Agreement supercedes and replaces that certain Annexation Agreement between the Village of Chatham and the Judson Baptist Church pertaining to the Property

and dated _____, 1994, which shall be of no further force and effect.

AGREED this ____ day of _____, 1995.

THE JUDSON BAPTIST CHURCH

BY: AUTHORIZED OFFICER

BY: AUTHORIZED OFFICER

PRINT NAME AND TITLE

PRINT NAME AND TITLE

BY: AUTHORIZED OFFICER

BY: AUTHORIZED OFFICER

PRINT NAME AND TITLE

PRINT NAME AND TITLE

VILLAGE OF CHATHAM, ILLINOIS,

By: Linda Kuster
Its President

ATTEST:

Penny Mooney
Village Clerk

Part of the Northeast Quarter of the Northeast Quarter of Section 1,
Township 14 North, Range 6 West of the Third Principal Meridian,
described more particularly as follows:

Commencing at an iron pipe marking the Northeast corner of the
aforementioned Section 1, thence South 90 degrees 00 minutes 00 seconds
West along the section line a distance of 96.94 feet to the true point
of beginning, thence South 00 degrees 01 minutes 32 seconds West a
distance of 16.00 feet to an iron pipe on the existing Westarly Right-
of-Way line of Illinois Route 4, thence South 56 degrees 30 minutes 06
seconds East along said right-of-way line a distance of 42.30 feet to
an iron pipe, thence continuing along said right-of-way line South 00
degrees 24 minutes 01 seconds East a distance of 421.31 feet to an iron
pin, thence North 69 degrees 59 minutes 34 seconds West a distance of
660.39 feet to an iron pin, thence North 00 degrees 24 minutes 01
seconds West a distance of 460.52 feet to a point on the section line,
thence North 90 degrees 00 minutes 00 seconds East along the section
line a distance of 625.40 feet to the true point of beginning. Said
tract contains 6.967 acres, more or less, all in the County of
Sangamon, State of Illinois.

Basis of bearing is South 90 degrees 00 minutes 00 seconds West along
the Section line.

EXHIBIT A

ORDERED BY: ILLINOIS DEPT. OF LAND SURVEY
STATE CONVENTION

FOUND PIPE
0.32' N & 0.07' E
OF TRUE COR.

TOWNSHIP ROAD

FOUND PIPE
0.00' E & 0.66' S
OF TRUE COR.

SECTION LINE

635.63' R
525.68' M

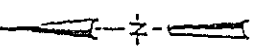
6.963 ACRES

MONUMENTS FOUND ARE RECORDED
IN PLAT OF SURVEY AT THE RECORDER
OF DEEDS, SANGAMON COUNTY COURT—
HOUSE AS DOCUMENT NO. 807744.

3.035 ACRES

DEED FOR THE "SOUTH 200 FEET"
EXCEPTION, RECORDED AS DOCUMENT
NO. 952995 IN THE RECORDER OF
DEEDS SANGAMON COUNTY COURTHOUSE.

SCALE: 1"=100'



FOUND PIPE
0.00' N & 9.98' W
OF TRUE COR.

16.01' M
15.80' R
42.31' M
42.22' R

96.96'

89° 41' 42"

89° 36' 38"

89° 36' 38"

89° 25' 22"

P.L.

660.62' R

660.62' M

460.62' M

610.79' R

621.26' M

421.26' M

56.49' 25"

236.07' 45"

FOUND PIPE AT
NE COR SEC 1
T14N R6W 3RD PM

EXISTING ROW

ILL. ROUTE 4

LINE

200.00' R

200.00' M

200.00' R

200.00' M

ISSUED FROM
SECTION
R14TON ROW
NO. 2

DEDICATION OF LAND FOR PUBLIC PURPOSES

THE JUDSON BAPTIST CHURCH ("Grantor"), for One Dollar and other good and valuable consideration, hereby grants, conveys and dedicates to the Village of Chatham, Illinois, an Illinois municipal corporation, the north thirty feet of that tract of land described in Exhibit A hereto. Said land is dedicated for public use for use as a roadway and also for all other uses customarily incident to a roadway, including but not limited to the construction, reconstruction, repair and maintenance of a road, drainage works, water lines and works, and sanitary and storm sewer lines and works. This dedication is made this _____ day of _____, 1994.

THE JUDSON BAPTIST CHURCH

Rose M. Milton
BY: AUTHORIZED OFFICER

Rose M. Milton MODERATOR
PRINT NAME AND TITLE

Barbara L. Bahlow
BY: AUTHORIZED OFFICER

BARBARA L. BAHLOW FIN. SECRETARY
PRINT NAME AND TITLE

Laura B. Rollet
BY: AUTHORIZED OFFICER

Laura B. Rollet Treasurer
PRINT NAME AND TITLE

Michele Patridge
BY: AUTHORIZED OFFICER

Michele Patridge, Clerk
PRINT NAME AND TITLE

EXHIBIT C

STATE OF ILLINOIS)
) ss.
COUNTY OF SANGAMON)

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that

the Judson Baptist Church Officers, Rose M. Miller, Moderator; Barbara
L. Bahlow, Fin. Secreatry; Laura B. Rollet, Treasurer and Michele
Patridge, Clerk

being personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that (s)he signed, sealed and delivered said instrument as their free and voluntary act for the purposes set forth therein.



Casandra Cole
Notary Public

Dated this 25th day of September, 1994

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Loami, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 95-___, by the President and Board of Trustees of said Village on the ___ day of _____ 1995, said Ordinance being entitled:

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WITH JUDSON BAPTIST CHURCH**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this ___ day of _____, 1995.

Village Clerk